Will Act After Shaw Trial

S-1 6/21/67

Haggerty Promises Contempt Citations

Judge Edward A. Haggerty Jr. today said he is keeping a "full file on all violations" of his Clay Shaw trial guidelines and declared he will cite certain persons for contempt "when the case is finally concluded."

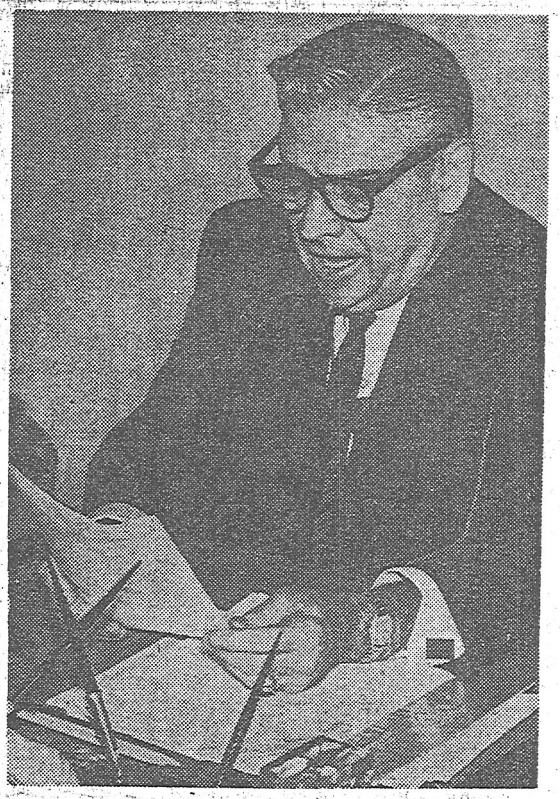
The Criminal District Court judge's strong warning was delivered in the wake of a controversy kicked up by a National Broadcasting Co. program Monday night.

Other developments stemming today from the controversial NBC broadcast included:

1. A strong condemnation of the broadcast by Joseph Rault, head of the DA's private fund, Truth and Consequences of New Orleans, Inc., who termed the network program "outrageous, shocking and an insult to the American sense of fair play."

2. A charge by the district attorney's office that NBC news staff members interfered with at least one more state witness, Marlene Man-

(Turn to Page 11, Column 1)



—States-Item photo.

JUDGE EDWARD A. HAGGERTY JR.

cuso, the former wife of fugitive witness Gordon Novel.

In a statement delivered to reporters this morning, Judge Haggerty pointed directly at television news media and its National Association of Broadcasters code of ethics.

"I FERVENTLY HOPE there will be an end to the charges and counter-charges, to the claims and counter-claims by all persons," the judge asserted.

He added, "I demand it under citation of contempt."

Judge Haggerty said "persons, including lawyers, have acted at their peril."

He warned, "I will, repeat, will cite persons for contempt when this case is finally concluded."

Dist. Atty. Jim Garrison has charged Shaw, a 54-year-old retired New Orleans businessman, with conspiring to murder John F. Kennedy at Dallas in 1963.

The case has generated international publicity and has resulted in charges hurled back and forth between the DA and detractors of his Kennedy death plot investigation.

HAGGERTY, AS TRIAL judge, has issued three sets of guidelines since the Shaw case was referred to his District C court in March. Each time, he has strengthened the ground rules for attorneys, witnesses, court officials, police officers and newsmen.

Essentially, he has banned any public comment upon the guilt or innocence of Shaw or upon the quality of the evidence.

The Monday night NBC documentary sought to show that Garrison's evidence against the retired businessman is based upon faulty statements and unconfirmed testimony.

Obviously angry about the new public controversy, the judge said:

"The prosecution and defense and their supporters, whatever cloak they use, shoud rationally realize that the triers of the facts, the jury, has yet to be selected to try this case in open court subject to the stringent rules of criminal law and procedure."

URGING ALL NEWS media, under penalty of contempt, to refrain from commenting on the Shaw case, Haggerty declared: "The American system of justice is on trial."

Aiming part of his statement directly at TV, the judge noted: "The television code adopted by the National Association of Broadcasters in 1952 on Page 3 states: 'Legal, medical and other professional advice, diagnosis and treatment will be permitted only in conformity with law and recognized ethical and professional standards."

Late yesterday, a key witness in Garrison's presidential death plot inquiry, Perry R. Russo, refuted the NBC attack on his testimony and charged a team of NBC reporters with attempting to buy his cooperation.

Russo's statement, made during a news conference at Garrison's office, was denied immediately by NBC and its local affiliate, WDSU-TV.

NBC QUOTED RUSSO, the young insuranceman who said he overheard Clay L. Shaw, Lee Harvey Oswald and the late David W. Ferrie plotting John F. Kennedy's death, as saying he was sorry he ever got involved in the investigation.

At his press conference yesterday, Russo faced newsmen with apparent confidence and declared that an NBC newsman, Walter Sheridan, "twisted" his words.

Russo said Sheridan, WDSU-TV reporter Richard Townley and Saturday Evening Post writer James Phelan repeatedly visited his home in attempts to persuade him to cooperate with "NBC and the defense."

IN NEW YORK, a spokesman for NBC said Townley talked with Russo on several occasions but "denied telling him he was working closely with the defense or threatening to ruin Russo's reputation."

"On the contrary," the NBC source said, "Townley says it was Russo who brought up the subject of reputation and says Russo admitted the defense could 'tear him apart.'"

Rault, who with 49 other New Orleans businessmen is helping support the Garrison investigation, said NBC "violated and misused its rights of public broadcasting" in airing the program Monday.

"It was very biased and prejudicial," he asserted, "and was full of improper accusations and innuendoes, seemingly attempting to discredit witnesses and making improper charges against our law enforcement officers."

RAULT SAID THE hour-long program "conveniently omitted things and people that did not fit their jigsaw puzzle story."

Garrison released a statement from Miss Mancuso in which she is quoted as saying that Townley told her Garrison would be "destroyed."

She said the television newsman first approached her in a "very just" manner and then, "when he got the feeling that I trusted him began to change."

"He said they were not merely going to discredit the probe," Miss Mancuso's statement said. "He said Garrison would get a jail sentence."

Miss Mancuso said Townley attempted to induce her to appear on the NBC program by telling her a "prior interview" would put her in a "good light" when she was finally subpenaed.

GARRISON CALLED Miss Mancuso's statement "another example of the National Broadcasting Company's program to torpedo the inquiry into President Kennedy's assassination."

He said it "helps to clarify the federal government's role in obstructing the investigation if it is kept in mind that NBC is owned by the Radio Corporation of America . . . one of the top 10 corporations with regard to federal defense contracts."

At Washington, D. C., yesterday, the Federal Communications Commission acknowledged receipt of a formal complaint against NBC filed by Garrison.

The DA has charged the network with intefering with a case under investigation and has asked the FCC to take disciplinary action.

An FCC spokesman said the complaint will be sent to the network, which will be given 20 days to reply. The FCC then will determine whether there has been any violation of federal law or regulations.